

FILED 9:09 am  
AT \_\_\_\_\_

NO. CV-00461-24-08

MAR 11 2025

EXPRESS H2O PIPELINE AND  
ROW, LLC.,  
*Plaintiff*

vs.

WESTLAKE CHEMICAL  
OPCO, LP.,  
*Defendant*

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IN THE DISTRICT COURT OF  
MEAGAN MOORE DISTRICT CLERK ANGELINA COUNTY, TX  
BY \_\_\_\_\_ DEPUTY

ANGELINA COUNTY

159<sup>th</sup> JUDICIAL DISTRICT

Exhibit

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AGREED AMENDED DOCKET CONTROL ORDER – LEVEL THREE

DATE:	
March 14, 2025	<b>PLAINTIFF EXPERT DISCLOSURE.</b> Experts for Plaintiff shall be designated by this date, including the disclosures required by TRCP 194. A retained testifying expert not designated prior to the order deadline, or by the date allowed in any Rule 11 Agreement of the parties, shall not be permitted to testify absent a showing of good cause.
April 1, 2025	<b>DISPOSITIVE MOTION DEADLINE.</b> Deadline for Motions for Summary Judgment to be filed. Parties are not precluded from filing and having heard dispositive motions before the Final Pretrial. Hearing to be held before May 15, 2025.
April 18, 2025	<b>PLAINTIFF PLEADINGS.</b> Plaintiff shall file any amended pleadings by this date.
May 1, 2025	<b>DEFENDANT EXPERT DISCLOSURE.</b> Experts for Defendant shall be designated by this date, including the disclosures required by TRCP 194. A retained testifying expert not designated prior to the order deadline, or by the date in any Rule 11 Agreement of the parties, shall not be permitted to testify absent a showing of good cause.
May 5, 2025	<b>DEFENDANT PLEADINGS.</b> Defendant shall file any amended pleadings by this date
May 30, 2025	<p><b>MEDIATION</b> shall be completed by this date. Report to be filed with the court on or before this date. All persons agree to participate in mediation with the following person to serve as mediator:</p> <p>Name: <u>Andy Tindel</u>  Address: <u>112 E. Line St. #304, Tyler, TX 75702</u>  Phone: <u>903-596-0900</u></p> <p>All parties shall attend and participate in mediation in good faith. Each party shall have an individual present with full settlement</p>

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	authority. Each party shall pay an equal share of the mediation cost.
July 15, 2025	<b>FACT AND EXPERT WITNESS DEPOSITIONS.</b> Depositions of all witnesses shall be completed by this date.
July 15, 2025	<b>WRITTEN DISCOVERY.</b> Written discovery shall be completed by this date. Counsel may, by agreement, continue discovery beyond this deadline.
August 1, 2025	<b>ROBINSON /DAUBERT MOTION.</b> Any motions to disqualify any expert witnesses or limit the testimony of any expert witness must be filed by this date.
August 1, 2025	<b>PRETRIAL MATERIALS.</b> By this date, all parties shall file and exchange the following documents: <ul style="list-style-type: none"> <li>a. Designations of deposition excerpts intended to be played or read to the jury;</li> <li>b. Exhibit lists;</li> <li>c. Witness lists;</li> <li>d. Motions in Limine; and</li> <li>e. Proposed Jury Charges</li> </ul>
August 10, 2025	<b>OBJECTIONS AND CROSS DESIGNATIONS.</b> Objections to an opposing party's deposition designations, exhibits or evidence, along with any cross-designations, must be filed by this date.
August 15, 2025	<del>9:00 a.</del> .m. (time to be set by court) <b>FINAL PRETRIAL.</b> Counsel with authority must attend. All dispositive motions, Daubert/Robinson challenges, objections to exhibits, objections to deposition testimony, and motion in limine shall be set to be heard by the Final Pretrial. All counsel shall provide the Court with proposed jury charges, preferably agreed ones. Motion in Limine will not be ruled upon after this date. Prior to commencement of voir dire, parties are ordered to exchange the following and provide a copy to the Court: Exhibit lists, Labeled exhibits, Witness lists (inform Court at earliest opportunity of scheduling problems relating to witnesses), estimate of length of trial, Designation of deposition testimony to be offered.
August 15, 2025	<del>9:00 a.</del> .m. <b>DOCKET CALL</b>
Sept. 8, 2025	8:30 a. m. <b>JURY SELECTION</b>
Sept. 9, 2025	<del>8:30 a.</del> .m. <b>JURY TRIAL (Evidence Begins).</b> Should the need arise to change any deadline date in this Order, counsel are strongly encouraged to change such date by agreement rather than burdening the Court. Should such change be made, all counsel must complete and sign a new Docket Control Order and present same to the Court for its signature.


Signed this the 11<sup>th</sup> day of March 2025.

  
JUDGE PRESIDING

CERTIFIED COPY CERTIFICATE  
STATE OF TEXAS, COUNTY OF ANGELINA

3 pages

I hereby certify that the above is a true and correct  
copy of the original record on file in my office.  
MEAGAN MOORE, DISTRICT CLERK, ANGELINA CO. TX

By:  Deputy